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RCE 165 \$

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 USC §132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/992,221
Filing Date	November 06, 2001
First Named Inventor	Tomohiro TSUJI
Group Art Unit	1651
Examiner Name	J. P. Weber
Attorney Docket Number	3029-75RCE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000 applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
 - a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on. (Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. ☐ Other
 - b. ☐ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other
2. **Miscellaneous**
 - a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months.
(Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(l) required)
 - b. ☐ Other
3. **Fees**

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

 - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.:
03-2412.

i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)	11/03/2003 BABRAHA1 00000039 09992221
ii. <input checked="" type="checkbox"/> Extension of time fee (37C.F.R. §§ 1.136 and 1.17)	01 FC:2801 385.00 OP
iii. <input checked="" type="checkbox"/> Small Entity Status is being claimed for this application.	
vi. <input type="checkbox"/> Other	
 - b. ☒ Check in the amount of \$385.00 enclosed.
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kent H. Cheng	Registration No. (Attorney/Agent)	33,849
Signature	<i>Kent H Cheng</i>	Date	October 29, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: October 29, 2003

Name (Print/Type)	Kent H. Cheng	Date	October 29, 2003
Signature	<i>Kent H Cheng</i>		



Attorney Docket No.: **3029-75RCE**

FILING FEE COMPUTATION SHEET

Submit an original and a duplicate for fee processing

Dated: October 29, 2003

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re RCE Application of: **Tomohiro TSUJI et al.**
For: **Method for Classifying and Counting Nucleated Bone Marrow Cells**
Parent Serial No.: **09/992,221**

The filing fee has been calculated as shown below:

FOR:	Col. 1	Col. 2	SMALL ENTITY	OTHER THAN SMALL ENTITY
	# FILED	# EXTRA		
BASIC FEE			\$385	\$770
TOTAL CLAIMS	<u>11</u> - 20 =		x 9 = \$	x 18 = \$
INDEPENDENT CLAIMS	<u>2</u> - 3 =		x 43 = \$	x 86 = \$
<input type="checkbox"/> MULTIPLE DEPENDENCY			+\$145 = \$	+290 \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2			TOTAL: \$385	\$